RANBAXY INC.

600 COLLEGE ROAD EAST, SUITE 2100 ■ PRINCETON, NEW JERSEY 08540 ■ TELEPHONE (609) 720-5608 ■ FACSIMILE (609) 514-9779

FACSIMILE COVER SHEET

DATE:

October 26, 2006

10. OF PAGES.
(INCLUDING THIS COVER) RECEIVEL NO. OF PAGES:

TO:

USPTO/PCT Legal Administration

Commissioner of Patents Attention: Cynthia M. Kratz

International Division

FAX NO.:

571-273-0459

FROM:

Kim Campbell

U.S. Patent Application No.: 10/522,223 Re:

Title: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE FORMULATIONS

OF MODAFINIL **RLL-275US**

Please find attached the Petition Requesting the hold is withdrawn Under 37 CFR 1.8(b) along with a complete copy of the Response to the Notification of Missing Requirements.

Thank you.

Sincerely,

Paralegal - Intellectual Property

CONFIDENTIALITY NOTE:

The information contained in his facsimile message is strictly privileged and confidential, intended only for the use of the individual or entity named above.

If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this material is strictly prohibited.

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:

SINGH et al.

Application No.:

10/522,223

Filed:

January 24, 2005

Title:

PROCESSES FOR THE PREPARATION OF ORAL DOSAGE

FORMULATIONS OF MODAFINIL

<u>PETITION REQUESTING WITHDRAWAL OF THE HOLDING OF</u> <u>ABANDONMENT UNDER 37 CFR 1.8(b)</u>

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office at (571) 273-0459 on the date shown below.

Date: October 26, 2006. 4

William Hare

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Petition under 37 CFR 1.8(b) and Response to Decision on Petition Under 37 CFR 1.47(a)

This submission by the Applicants is: (a) to satisfy the requirements of 37 CFR 1.8(b), and (b) in response to the Decision on Petition Under 37 CFR 1.47(a) dated September 25, 2006. The Decision on Petition holds that Applicants' application is abandoned for failing to respond to the Notification of Missing Requirements dated August 8, 2005, which required an oath or declarat on of the inventors. Applicants responded to this Notification on March 8, 2006 with a seven page facsimile transmission consisting of a facsimile cover sheet, a Petition to File When Inventor Cannot be Reached Under 37 CFR § 1.47 and the Declaration executed by two of the five inventors, Inventors Roy and Malik. According to the Decision on Petition, this facsimile was not received in the Patent and Trademark Office (PTO).

U.S. Patent Application No.: 10/522,223 SINGH et al.

RLL-275US Page 2

Applicants note that they did not receive the Decision on Petition until October 25, 2006 when, upon contacting the PTO to receive an update on the application, Applicants were informed that the Decision on Petition had been mailed on or about September 25, 2006. The PTO then sent it to Applicants by facsimile on October 25, 2006.

Applicants are petitioning under 37 CFR 1.8(b) for a withdrawal of the holding of abandonment. To satisfy 37 CFR 1.8(b)(1), Applicants note that on June 2, 2006 Applicants became aware that the PTO did not have evidence of receipt of the March 8, 2006 response to Notification of Missing Requirements. On June 2, 2006, immediately upon leaning that the PTO did not have evidence of receipt of the March 8, 2006 submission, Applicants verbally informed the PTO during a telephone call of the existence of the March 8, 2006 correspondence.

To satisfy 37 CFR 1.8(b)(2), on June 7, 2006, Applicants submitted evidence of the March 8, 2006 submission. However, it appears that the evidence submitted was incomplete and did not include the entire March 8, 2006 facsimile. Applicants are now providing a copy of the entire eight page, March 8, 2006 facsimile, including facsimile confirmation transmission report, which consists of: (a) a copy of the confirmation transmission report (one page), (b) the facsimile cover sheet (one page), (c) the Petition to File When Inventor Cannot be Reached Under 37 CFR § 1.47 (two pages), and (d) the Declaration executed by two of the five inventors (five pages).

To satisfy 37 CFR 1.8(b)(3) the undersigned states that he has spoken with the Patent Paralegal who sent the March 8, 2006 facsimile transmission to the PTO and has been informed by the Patent Paralegal that she sent the March 8, 2006 facsimile transmission on the date indicated on the attached confirmation transmission report. The undersigned also

U.S. Patent Application No.: 10/522,223 SINGH et al.

RLL-275US Page 3

states that the Patent Paralegal regularly sends facsimile transmissions to the PTO on behalf of the undersigned and that she ensures that such transmissions are successful by reviewing the confirmation report. The Patent Paralegal ensures successful transmission of the facsimile by reviewing both that the transmission went through and that the correct number of pages were transmitted, as indicated on the confirmation report.

Based on the above, Applicants request that the holding of abandonment be withdrawn.

Applicants also are providing documents relating to the oath or declaration signed by all of the inventors to satisfy the requirements of 37 CFR 1.47(a). In the June 7, 2006 electronic submission, providing the cover sheet from the March 8, 2006 facsimile, Applicants also provided declaration and oaths (twelve pages) signed by all of the inventors. These were provided with a Supplemental Petition to File When Inventor Cannot Be Reached under 37 CFR 1.47 (one page). In this submission, Applicants are providing the executed declaration and oath (twelve pages), Supplemental Petition (one page), the Electronic Acknowledgement Receipt dated June 7, 2006 (two pages), and Response to Notice to File Missing Parts of Application (PTO Form 1533) with request for a five month extension of time (three pages). Based on the submission of these documents, Applicants believe that they have satisfied the declaration and oath requirements for 37 CFR 1.47(a) for this application.

Authorization is hereby given to charge any fees associated herewith to Deposit Account No. 50-0912.

Date: October 26, 2006

Customer No. 26815

William D. Hare

Reg. No. 44,739

10/26/2006 17:25 FAX 609 514 9779 93/08/2006 14:54 FAX 609 514 9779

RANBAXY IP RANBAXY IP **☑** 005/031 **₩**001

****** TX REPORT *************

TRANSMISSION OK

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RESULT

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RANBAXY INC.

600 COLLEGE ROAD EAST, SUITE 2100 ■ PRINCETON, NEW JERSEY 08540 ■ TELEPHONE (609) 720-5608 ■ FACSIMILE (609) 514-9779

ACSIMILE COVER SHEET

DATE:

March 8, 2006

NO. OF PAGES: 7

(INCLUDING THIS COVER)

TO:

USPTO

Commissioner of Patents Attention: India L. Evans

FAX NO.: 703-305-3230

FROM:

Kim Campbell

Re:

U.S. Patent Application No.: 10/522,223

Title: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE

FORMULATIONS OF MODAFINIL

RLL-275US

Please find attached the Petition to File When Inventor Cannot be reached.



RANBAXY INC:

600 COLLEGE ROAD EAST, SUITE 2100 ■ PRINCETON, NEW JERSEY 08540 ■ TELEPHONE (609) 720-5608 ■ FACSIMILE (609) 514-9779

FACSIMILE COVER SHEET

DATE:

March 8, 2006

NO. OF PAGES: "/

(INCLUDING THIS COVER)

TO:

USPTO

Commissioner of Patents Attention: India L. Evans

FAX NO.:

703-305-3230

FROM:

Kim Campbell

Re:

U.S. Patent Application No.: 10/522,223

Title: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE

FORMULATIONS OF MODAFINIL

RLL-275US

Please find attached the Petition to File When Inventor Cannot be reached.

CONFIDENTIALITY NOTE:

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If you have received this communication in error, please immediately notify us by telephone to arrange for the destruction or the communication or the return, at our expense, of the original message.

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:

SINGH et al.

Application No.:

10/522,223

Filed:

January 24, 2005

Title:

PROCESSES FOR THE PREPARATION OF ORAL DOSAGE

FORMULATIONS OF MODAFINIL

PETITION TO FILE WHEN INVENTOR CANNOT BE REACHED UNDER 37 CFR § 1.47

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office at (703) 305-3230 on the date shown below.

Date: March 8, 2006.

Kim Campbell

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements under 35, U.S.C. 371 dated August 8, 2005. Applicants hereby petition to waive the execution of the Declaration by inventors, Romi Barat SINGH, Pananchukunnath Manoj KUMAR and Vishnubhotla NAGAPRASAD as inventors of the above referenced application. These inventors have been presented with a copy of the application papers. To date we have made numerous attempts to contact Mr. Singh, Mr. Kumar and Mr. Nagaprasad but have not received a response from them. Mr. Singh's last known address is A-14 Badshah Bagh, Varanasi, Uttar Pradesh,

U.S. Patent Application No.: 10/522,223
- SINGH et al.

RLL-255US

221002 India, Mr. Kumar last known address is 25 Laxmi Vihar Apartments, Block H-3, Vikas Puri, New Delhi, Delhi 110018 India and Mr. Nagaprasad last known address is 102 Surya Niwas Aparlments, Balaji Nagar, Kukatpally, Hyderabad, Andhra Pradesh 500072 India.

Applicants hereby submit the Declaration executed by inventors Sunilendu Bhushan ROY and Rajiv MALIK and under 37 CFR 3.73 (b)(1) ownership of the application is established under reel/frame 015952/0835 where evidence of the chain of title is recorded.

Authorization is hereby given to charge any fees associated herewith to Deposit Account No. 50-0512.

Respectfully submitted.

SINGH et al.

Date: March 8, 2006

Customer No. 268 5

William D. Hare

Reg. No. 44,739

Express Mail Label No.

Page 1 of

Docket No. RLL-275US

Declaration and Power of Attorney For Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for

		ught on the invention		
PR	OCESSES FOR THE	E PREPARATIONOF O	RAL DOSAGE FORMULATIONS OF M	IODAFINIL
th	e specification of w	/h ch		
(c	heck one)			
	is attached heret	0.		
\boxtimes	was filed on Jul	y 24, 2003	as United States Application No	or PCT International
	Application Numb	DET PCT/IB2003/00296	22	or or anomalonal
	and was amende	d on		
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l h ind	ereby state that I is cluding the claims,	าลve reviewed and ur as amended by any a	nderstand the contents of the above imendment referred to above.	identified specification,
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apı bel inv	olication which desow and have also entor's or plant bre	signated at least one identified below h	nder 35 U.S.C. 119(a)-(d) or (f), or 's rights certificate(s), or 365(a) of e country other than the United Stary checking the box, any foreign a sate(s), or any PCT international appropriate is claimed.	any PCT International ites of America, listed
Pric	or Foreign Applicat	<u>(s)nci</u>		Priority Claimed
	DEL/2002	India	25 July 2002	
(Nun	nber)	(Country)	(Day/Month/YearFiled)	\(\delta\)
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PTO-S	B-01 (9-95) (Modified)	P	02/REV03 Patent and Trademark Office-	U.S. DEPARTMENT OF COMMERCE

Page 2 of

	!	1030
hereby claim the benefit under application(s) listed below:	35 U.S.C. Section 119(e)	of any United States provisional
(Application Serial No.)	(Filing Date)	
(Application Serial Nc.)	(Filing Date)	
(Application Serial No.)	(Filing Date)	
hereby claim the benefit under 3 Section 365(c) of any PCT Internal nsofar as the subject matter of ea	tional application designating ach of the claims of this app	the United States, listed below and blication is not disclosed in the priorovided by the first paragraph of 35
hereby claim the benefit under 3 Section 365(c) of any PCT Internal nsofar as the subject matter of earlied States or PCT International U.S.C. Section 112, I acknowledge Office all information known to messection 1,56 which became available	tional application designating ach of the claims of this application in the manner pet the duty to disclose to the let to be material to patentabile between the filing date of	olication is not disclosed in the prior rovided by the first paragraph of 35 United States Patent and Trademark litty as defined in Title 37, C. F. R.
hereby claim the benefit under 3 Section 365(c) of any PCT Internal nsofar as the subject matter of earlied States or PCT International U.S.C. Section 112, I acknowledge Office all information known to messection 1,56 which became available	tional application designating ach of the claims of this application in the manner pet the duty to disclose to the let to be material to patentabile between the filing date of	olication is not disclosed in the prior rovided by the first paragraph of 35 United States Patent and Trademark litty as defined in Title 37, C. F. R.
hereby claim the benefit under 3 Section 365(c) of any PCT Internationsofar as the subject matter of earlined States or PCT International U.S.C. Section 112, I acknowledge Office all information known to mestion 1.56 which became available or PCT International filing date of the	tional application designating ach of the claims of this application in the manner petthe duty to disclose to the let obe material to patentability between the filing date of this application:	any United States application(s), of the United States, listed below and olication is not disclosed in the prior rovided by the first paragraph of 35 United States Patent and Trademark litry as defined in Title 37, C. F. R. the prior application and the national (Status) (patented, pending, abandoned) (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Page 3 of

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number) Jayadeep R. Deshmukh, Esq. Reg. No. 34,507

George E. Heibel, Esq.

William D. Hare, Esq.

Reg. No. 42,648 Reg. No. 44,739

Kenneth Y. Lo, Esq.

Reg. No. 51,961

James J. De Yorker, Esq.

Reg. No. 52,817

Send Correspondence to:

Jayadeep R. Deshmukh, Esq.

Ranbaxy Inc.

600 College Road East, Suite 2100 Princeton, New Jersey 08540

Direct Telephone Calls to: (name and telephone number)

Jayadeep R. Deshmukh, Esq.

609-720-5608

ole or first inventor's signature	
	Date
esidence	
aranasi, Uttar Pradesh	
itizenship	
ndia	
ost Office Address	
-14 Badshah Bagh, Varanasi, Uttar Pradesh, 221002 India	

Second inventor's signature	
	Date
Residence	_
New Delhi, Delhi	
Citizenship	
ndia	
Post Office Address	
5 Laxmi Vihar Apartments, Elock H-3, Vikas Puri, New Delhi, Delhi 110018 In	
The thicket 11-3, vikas Puri, New Delhi, Delhi 110018 In	dia

Page 4 of

Third inventor's signature Residence	Date
Residence	
Hyderabad, Andhra Pradesh	
Cilizenship India	
Post Office Address 102 Surya Niwas Apartments, Balaji Nagar, Kukatpally, Hy	derabad, Andhra Pradesh 500072 India

Full name of fourth inventor, I any
Sunifendu Bhshan ROY

Fourth inventor's signature

Residence
Mumbai, Maharashtra

Cilizenship
India

Post Office Address
Bungalow #7, Row House Lokpuram, Than West, Mumbai, Maharashtra 400601 India

Full name of fifth inventor, if any
Rajiv MALIK

Fifth inventor's signature

Date

Residence
Austria

Citizenship
India

Post Office Address
Haus 13/4, Unterer Schralberweg, A-1190 Wien Austria

Sixth Inventor's signature Residence Citizenship	Date
Citizenship	
Post Office Address	

Page 4 of Full name of third inventor, if any Vishnubhotla NAGAPRASAD Third inventor's signature Date Residence Hyderabad, Andhra Pradesh Citizenship India Post Office Address 102 Surya Niwas Apartments, Balaji Nagar, Kukatpally, Hyderabad, Andhra Pradesh 500072 India Full name of tourth thiventor, if any Sunilendu Bhshan ROY Fourth inventor's signature Dale Residence Mumbai, Maharashtra Cillzenship India Post Office Address Bungalow #7, Row House Lokpuram, Than West, Mumbai, Maharashtra 400601 India Full name of fifth inventor, if any. Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India Post Office Address Haus 13/4, Unterer Schreiberweg, A-1190 Wien Austria Full name of sixth inventor, if any Sixth inventor's signature Date Residence Cillzenship Post Office Address

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:

SINGH et al.

Application No.:

10/522,223

Filed:

January 24, 2005

Title:

PROCESSES FOR THE PREPARATION OF ORAL DOSAGE

FORMULATIONS OF MODAFINIL

SUPPLEMENTAL PETITION TO FILE WHEN INVENTOR CANNOT BE REACHED **UNDER 37 CFR § 1.47**

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 dated August 8, 2005 and supplemental to the Petition to File When Inventor Cannot be Reached filed March 8, 2006, Applicants hereby submit this Supplemental Petition with the Declaration executed by all inventors as set forth in 37 CFR § 1.47.

Respectfully submitted,

SINGH et al.

Date: June 7, 2006

Customer No. 268 5

William D. Hare, Esq.

Reg. No. 44,739

	Response Filir	To Notice To File	e Missing Parts Of Applic PTO-1533)(LargeEntity)	eation	 	cket No. L-275US		
In Re A	Application (Of: SINGH, et al.						
Applic	ation No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.		
10/522,223 January 24, 2005 TBA 26815 TBA 7205								
Invention: PROCESSES FOR THE PREPARATION OF ORAL DOSAGE FORMULATIONS OF MODAFINIL								
			Mail Stop Missing Pa	<u>rts</u>				
			COMMISSIONERFOR PA	TENTS:				
	a response gust 8, 2005 Date		Missing Parts of Application -	Filing Date Gran	nted (PTO-1533)	mailed on		
Enclose	ed herewith	for filing are the follo	owing:					
⊠ A	A copy of th	e Notice to File Miss	ing Parts of Application - Filin	g Date Granted ((PTO-1533). (Ri	EQUIRED)		
_ ,	A properly s	igned oat 1 or declar	ation in compliance with 37 C	FR 1.63.				
			iance with 37 CFR 1.63 listing is application by the above A					
ť	A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.							
⊠ (☑ Other (list):							
F	that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.							

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(LargeEntity)					II I	cket No. -275US		
In Re Application Of: SINGH, et al.								
Application No.	Filing Date	Examir	ner	Customer No.	Group Art Unit	Confirmation No.		
10/522,223	January 24, 2005	ТВА		26815	TBA	7205		
Invention: PROC	CESSES FOR THE P	REPARATION	OF ORAL DO	SAGE FORMU	LATIONSOF MO	ODAFINIL		
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	of application fees as	s calculated belo	w:					
Utility a	pplication basic fee							
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⊠ Surcha	\$130.00							
☐ Petitio	and fee for filing by	other than all the	e inventors or	a person not the	e inventor			
☐ Fee fo	r processing an appli	cation filed with a	a non-English	n language speci	fication			
☐ Fee fo	r processing and rete	ention of applicati	ion					
		•	Tota	al completion of a	application fees	\$130.00		
				·				
above-identified N	This is a request under he provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.							
☐ One mor	nth 🛭 Two m	nonths 🗆	Three month	ns 🗆 Fourn	months 🖾	Five months		
from:	C ctober 8, 20	05	until:	Mare	ch 8, 2006			
	Date		_		Date			
				Total tim	e extension fees			
					Total fees due	\$2,290.00		

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533) (Large Entity) Docket No. RLL-275US								
In Re Application	Of:		SINGH, et al.					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.			
10/522,223	January 24, 2005	TBA	26815	TBA				
Invention: PROCESSES FOR THE PREPARATIONOF ORAL DOSAGE FORMULATIONS OF MODAFINIL								
	<u>T(</u>	O THE COMMISSIONERFO	R PATENTS:					
		Mail Stop Missing Pa	irts		·			
The fee of \$2,	290.00 is to be na	id as follows:			,			
 The fee of \$2,290.00 is to be paid as follows: A check in the amount of the fee is enclosed. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0912 If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0912 								
WARNING								
William Have Dated: October 26, 2006								
William D. Hare, 1 Reg. No. 44,739 Customer No. 268			sufficient post	n the United State tage as first class	respondence is being as Postal Service with mall in an envelope Patents, P.O. Box 1450, FR 1.8(a)) on			
				Date)				
cc:				ure of Person Mailing sted Name of Person I	g Correspondence Mailing Correspondence			

RLL-275

Electronic	cknowledgement Receipt		
EFS ID:	1070819		
Application Number:	10522223		
Confirmation Number:	7205		
Title of Invention:	Processes for the preparation of oral dosage formulations of modafinil		
First Named Inventor:	Romi Barat Singh		
Customer Number:	26815		
Filer:	William D. Hare/Kim Campbell		
Filer Authorized By:	William D. Hare		
Attorney Docket Number:	RLL-275US		
Receipt Date:	07-JUN-2006		
Filing Date:			
Time Stamp:	16:55:20		
Application Type:	U.S. National Stage under 35 USC 371		
International Application Number:			

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 130
RAM confirmation Number	226
Deposit Account	500912
The Director of the LICETO:	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages
1	Petition for review/processing depending on status	275petition.pdf	308449	no	5
Warnings:					<u> </u>
Information:					
2	Oath or Declaration filed	275declarations.pdf	1198423	по	12
Warnings:	`		<u> </u>		
Information:					
3	Fee Works neet (PTO-875)	fee-info.pdf	8179	no	2
Warnings:			<u> </u>		
Information:					
		Total Files Size (in bytes)	1515	5051	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledg⊕ment Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

Express Mail Label No.

Page 1 of

Docket No. RLL-275US

Declaration and Power of Attorney For Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post off ce address and citizenship are as stated below next to my name,

DD 0 000000000000000000000000000000000	•	led	
PROCESSES FOR THI	FREPARATIONOF ORAL	DOSAGE FORMULATIONS OF M	MODAFINIL
the specification of v	vhich		
(check one)			
☐ is attached heret	0		
was filed on Jul Jul	y 24, 2003	as United States Application N	o. or PCT International
Application Num	ber PCT/IB2003/002962		
and was amende	ec on		
		(if applicable)	
I hereby state that I including the claims,	have reviewed and under as amended by any amei	stand the contents of the above ndment referred to above.	e identified specification,
between the filing da continuation-in-parta I hereby claim forei	ate of the prior application application. gn priority benefits under	cations, material information was and the national or PCT internation of the cational or PCT internation of the cations of the	national filing date of the
application which de below and have als inventor's or plant b	esignated at least one co in identified below, by o	ights certificate(s), or 365(a) or suntry other than the United Schecking the box, any foreign (s), or any PCT international apportty is claimed.	tates of America, listed application for patent.
Prior Foreign Applica	r:ion(s)		Priority Claimed
771/DEL/2002	India	25 July 2002	<u>> 110113</u>
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(Hamber)	(Country)	(Day/Month/YearFiled)	
(Number)	(Country)	(Day/Month/YearFiled)	
PTO-SB-01 (9-95) (Modified)	P02/R		

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application(s) listed below:	r 35 U.S.C. Section 119(e	e) of any United States provisional
(Application Serial No.)	(Filing Date)	-
(Application Serial No.)	(Filing Date)	-
(Application Serial No.)	(Filing Date)	· -
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Office all information known to missection 1.56 which became available or PCT International filing date of the (Application Serial No.)	e to be material to patentat de between the filing date of	United States Patent and Trademark pility as defined in Title 37, C. F. R., f the prior application and the national (Status) (patented, pending, abandoned)
Section 1.56 which became available or PCT International filing date of the	e to be material to patental ble between the filing date of is application:	oility as defined in Title 37, C. F. R., f the prior application and the national (Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Page 3 of

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Jayadeep R. Deshmukh, Esq. 1keg. No. 34,507

George E. Heibel, Esq.

Reg. No. 42,648

William D. Hare, Esq. Kenneth Y. Lo, Esq.

Reg. No. 44,739 Reg. No. 51,961

James J. De Yorker, Esq.

Reg. No. 52,817

Send Correspondence to: 'ayadeep R. Deshmukh, Esq.

Ranbaxy Inc.

100 College Road East, Suite 2100

Princeton, New Jersey 08540

Direct Telephone Calls to: (name and telephone number)

Jayadeep R. Deshmukh, Esq.

609-720-5608

Full name of sole or first inventor Romi Barat SINGH	Romi Singh	9th March'06
Sole or first inventor's signature		Date
Residence Varanasi, Uttar Pradesh		
Citizenship India		
Post Office Address A-14 Badshah Bagh, Varana:il, l	Uttar Pradesh, 221002 India	

Full name of second inventor, if an / Pananchukunnath Manoj KUMAR	
Second Inventor's signature	Date
Residence New Delhi, Delhi	
Citlzenship. India	
Post Office Address 25 Laxmi Vihar Apartments, Block H-3, Vikas Puri, New Delhi, Delhi 110018 India	

Page 4 of

Full name of third Inventor, if any Vishnubhotla NAGAPRASAD	
Third inventor's signature	Date
V. Nagapilased Residence	09/3/06
Residence Hyderabad, Andhra Pradesh	
Citizenship	
India	
Post Office Address 102 Surya Niwas Apartment: , Balaji Nagar, Kukatpally, Hyd	lorabad Andhra Pradesh 500077 India
102 Surya Mwas Apartment, Dalaji Magar, Makarpany, 113	icianal, Andria 11 acon 20072 main
Full name of fourth Inventor, if any	
Sunilendu Bhshan ROY	·
Fourth inventor's signature	Date
Residence	
Mumbai, Maharashtra	
Cilizenship India	·
Post Office Address	
· · · · · · · · · · · · · · · · · · ·	
Full name of fifth Inventor, if any	
Rajiv MALIK	
Rajiv MALIK Fifth inventor's signature	Oate
Rajiv MALIK Fifth inventor's signature Residence	Date
Rajiv MALIK Fifth inventor's signature Residence Austria	Date
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship	Date
Rajiv MALIK Fifth inventor's signature Residence Austria	Date
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India	Oate
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India Post Office Address	Date
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India Post Office Address	Date
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India Post Office Address	Date
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India Post Office Address Haus 13/4, Unterer Schreibt riveg, A-1190 Wien Austria	
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India Post Office Address Haus 13/4, Unterer Schreibe rweg, A-1190 Wien Austria	Date
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India Post Office Address Haus 13/4, Unterer Schreibt riveg, A-1190 Wien Austria	
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India Post Office Address Haus 13/4, Unterer Schreibe riveg, A-1190 Wien Austria Full name of sixth inventor, if any Sixth inventor's signature	
Rajiv MALIK Fifth inventor's signature Residence Austria Citizenship India Post Office Address Haus 13/4, Unterer Schreibt riveg, A-1190 Wien Austria Full name of sixth inventor, if any Sixth inventor's signature Residence	

Express Mail Label No.

Page 1 of

Docket No. RLL-275US

Declaration and Power of Attorney For Patent Application **English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the origin first and joint inventor (i which a patent is sough	i plural names ar	e listed below	one name is listed) of the subject matt	ter which is claimed and for
PROCESSES FOR THE PI			FORMULATIONSO	F MODAFINIL
the specification of which	:h			
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is attached hereto.				
	1, 2003	as Unit	ed States Applicatio	n No. or PCT International
Application Number	PCT/IB2003/0029	062		
and was amended	on			
		(i	f applicable)	
I hereby state that I ha including the claims, as				ove identified specification,
1.56, including for collective the filing date continuation-in-partap:	ntinuation-in-part of the prior appli olication.	applications, cation and the	material informatio national or PCT in	ability as defined in 37 CFR in which became available ternational filing date of the condition of 365(b) of any foreign
application which des	gnated at least of identified below, eder's rights certif	ne country of by checking ficate(s), or ar	ther than the United the box, any fore my PCT internations	a) of any PCT International desired states of America, listed sign application for patent, all application having a filing
Prior Foreign Application	on(s)			Priority Claimed
771/DEL/2002	India		25 July 2002	
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(Application Serial No.)

Page 2 of

(Status) (patented, pending, abandoned)

application(s) listed below:	:	e) of any United States provisional
(Application Serial No.)	(Filing Date)	
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(Application Serial Nc.)	(Filing Date)	
Section 365(c) of any PCT Internation	onal application designating	any United States application(s), or the United States, listed below and,
United States or PCT International U.S.C. Section 112, I acknowledge Office all information known to me	application in the manner parties to the the duty to disclose to the to be material to patentable between the filing date of	plication is not disclosed in the prior provided by the first paragraph of 35 United States Patent and Trademark Ility as defined in Title 37, C. F. R., the prior application and the national
United States or PCT International U.S.C. Section 112, I acknowledge Office all information known to me Section 1.56 which became available	application in the manner parties to the the duty to disclose to the to be material to patentable between the filing date of	provided by the first paragraph of 35 United States Patent and Trademark lility as defined in Title 37, C. F. R.,

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(Filing Date)

Page 3 of

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Jayadeep R. Deshmukh, Esq.

Reg. No. 34,507

George E. Heibel, Esq. William D. Hare, Esq. Reg. No. 42,648

Kenneth Y. Lo, Esq.

Reg. No. 44,739 Reg. No. 51,961

James J. De Yorker, Esq.

Reg. No. 52,817

Send Correspondence to: 'ayadeep R. Deshmukh, Esq.

Ranbaxy Inc.

600 College Road East, Suite 2100

l'rinceton, New Jersey 08540

Direct Telephone Calls to: (name and telephone number)

Jayadeep R. Deshmukh, Esq.

609-720-5608

	Full name of sole or first inventor Romi Barat SINGH	
	Sole or first inventor's signature	Date
	Residence Varanasi, Uttar Pradesh	
_	Citizenship India	
_	Post Office Address A-14 Badshah Bagh, Varanasi, Uttar Pradesh, 221002 India	
•		

Full name of second inventor, If any	
Pananchukunnah Manoj KUMAR	
Second inventor's agnature	FEBRUARY 10,2001
Residence	
New Delhi / New Delhi /	<i>'</i>
Citizenship	
India	
Post Office Address	
25 Laxmi Vihar Apartments, Block H-3, Vikas Puri, New Delhi, Delhi 110018 India	
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Page 4 of

Full name of third inventor, if any Vishnubhotla NAGAPRASAD	
Third inventor's signature	Date
Residence Hyderabad, Andhra Prade h	
Cilizenship India	
Post Office Address 102 Surya Niwas Apartments, Balaji Nagar, Kukatpally, Hyderabad, Andhra Pradesh 500072 In	ıdia

Full name of fourth inventor, if any Sunitendu Bhshan ROY	
Fourth inventor's signature	Dale MARLM 01,06
Residence Mumbai, Maharashtra	114.20161,06
Cilizenship India	
Post Office Address Bungalow #7, Row House Lokpuram, Than West, Mumbai, Maharas	htra 400601 India
Bungatow #7, Row House Lokpuram, Than West, Mumbai, Maharas	htra 400601 India

Full name of fifth inventor, if any Rajiv MALIK	
Fifth Inventor's signature	Date
Residence Austria	
Citizenship India	
Post Office Address Haus 13/4, Unterer Schreiberweg, A-1190 Wien Austria	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Express Mail Label No.

Page 1 of

Docket No. RLL-275US

Declaration and Power of Attorney For Patent Application **English Language Declaration**

As a below named inv	entor, I hereby declare t	that:	
My residence, post off	ice address and citizens	ship are as stated below next to m	y name,
first and joint inventor	nal, first and sole inven (if plural names are list ht on the invention entit	tor (if only one name is listed belowed below) of the subject matter whited	v) or an original, nich is claimed and for
PROCESSES FOR THE I	PEEPARATIONOF ORAI	L DOSAGE FORMULATIONS OF MC	DDAFINIL
the specification of wh	iicn		•
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is attached hereto			
■ was filed on July	24, 2003	as United States Application No.	or PCT International
Application Number	PCT/IB2003/002962		
and was amended	lon		
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		erstand the contents of the above is endment referred to above.	dentified specification,
1.56, including for co	ontinuation-in-part apple of the prior application	on which is material to patentability ications, material information when and the national or PCT interna	ich became available
application(s) for pate application which des below and have also inventor's or plant bre	ent, or plant breeder's gnated at least one of identified below, by	er 35 U.S.C. 119(a)-(d) or (f), or rights certificate(s), or 365(a) of a country other than the United Stachecking the box, any foreign a e(s), or any PCT international appriority is claimed.	any PCT International tes of America, listed application for patent,
Prior Foreign Applicat	ion(s)		Priority Claimed
771/DEL/2002	India	25 July 2002	3
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Page 2 of

application(s) listed below	:	e) of any United States provisiona
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Section 365(c) of any PCT Internations of a section 365(c) of any PCT International States or PCT International J.S.C. Section 112, I acknowledge of the all information known to make the section and section to make the section and section to the section and section the section and	ational application designating each of the claims of this apal application in the manner gethe duty to disclose to the net to be material to patental ble between the filing date o	f any United States application(s), or go the United States, listed below and oplication is not disclosed in the prior provided by the first paragraph of 35 United States Patent and Trademark billity as defined in Title 37, C. F. R. f the prior application and the national
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William D. Hare, Esq.

Reg. No. 44,739

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Send Correspondence to:

Jayadeep R. Deshmukh, Esq.

Ranbaxy Inc.

600 College Road East, Suite 2100 Princeton, New Jersey 08540

Direct Telephone Calls to: (name and telephone number)

Jayadeep R. Deshmukh, Esq.

609-720-5608

Full name of sole or first inventor Romi Barat SINGH	
Sole or first inventor's signature	Date
Residence Varanasi, Uttar Pradesh	
Citizenship India	
Post Office Address A-14 Badshah Bagh, Varanasi, Uttar Pradesh, 221002 India	

Full name of second inventor, if any Pananchukunnath Manoj KUMAR	
Second inventor's signature	Date
Residence New Delhi, Delhi	
Citizenship India	
Post Office Address 25 Laxmi Vihar Apartments, Block H-3, Vikas Puri, New Delhi, Delhi 1100	18 India

Page 4 of

Full name of third Inventor, if any Vishnubhotla NAGAPRASAD	
Third inventor's signature	
Time riverior's signature	Date
Residence	
Hyderabad, Andhra Pradesh	
Citizenship India	
Post Office Address	
102 Surya Niwas Apartments, Balaji Nagar, Kukatpally, Hyderabad, Andhra Pradesh 500072 Indi	P
rull name of fourth inventor, if any	

Full name of fourth inventor, if any Sunitendu Bhshan ROY	
Fourth inventor's signature	
_	Date
Residence	
Mumbai, Maharashtra	
Citizenship	_
India	
Post Office Address	_
Bungalow #7, Row House Lokpuram, Than West, Mumbai, Maharashtra 400601	
The state of the s	l India

Fifth inventor's signature	
Residence Austria	5/2/06
ilizenship ndia	
ost Office Address Iaus 13/4, Unterer Schreiberweg, A-1190 Wien Austria	

Full name of sixth inventor, if any	
Sixth Inventor's signature	
Residence	Date
Citizenship	
Post Office Address	

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